

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Tommie Lee Seymore v Wayne Circuit Judge**
Docket No. **259843**
L.C. No. **90-008641-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The complaint for a writ of mandamus, which is in actuality a complaint for a writ of superintending control per MCR 3.302(C), is **DISMISSED** for lack of jurisdiction seeing as plaintiff may appeal the July 14, 2004 order denying his motion for relief from judgment under MCR 6.500 *et seq.* MCR 3.302(D)(2), 7.203(C)(1), and 7.206(B). If plaintiff wants to challenge the July 2004 order, he must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 10 2005

Date

Sandra Schultz Mengel
Chief Clerk